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M S CONCRETE CO., INC.

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9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

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12 AZURE MANOR/RANCHO DE PAZ  
HOMEOWNERS ASSOCIATION, a Nevada  
residential, common-interest planned  
community,

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Plaintiff,

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vs.

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17 D.R. HORTON, INC., a Delaware  
corporation; U.S. HOME CORPORATION, a  
Delaware corporation; LENNAR  
CORPROATION, a Nevada corporation;  
18 LENNAR SALES CORP., a California  
corporation, and DOES 1-225, inclusive,

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Defendants.

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22 US HOME CORPORATION, a Delaware  
corporation,

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Third Party Plaintiff,

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vs.

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AMERICAN ASPHALT & GRADING  
COMPANY, a Nevada corporation; M&M  
CONSTRUCTION, INC, a Nevada  
corporation; TERRA CONTRACTING, INC.,  
a Nevada corporation; NEVADA  
LANDSCAPE CORP., a Nevada corporation;  
27 MS CONCRETE CO., INC., a Nevada

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CASE NO. 2:15-cv-01623-GMN-VCF

**STIPULATION AND ORDER FOR  
DISMISSAL OF M S CONCRETE CO.,  
INC. WITH PREJUDICE**

1 corporation; THE SYLVANIE COMPANIES,  
2 INC. dba DRAKE ASPHALT &  
3 CONCRETE, a Nevada company; C&H  
4 CONCRETE, LLC dba CORONADO  
5 CONCRETE, a Nevada limited liability  
company; NEW CREATION MASONRY,  
6 INC., a Nevada corporation; MSI  
LANDSCAPING, INC., a Nevada corporation  
fka MIST SYSTEMS INTERNATIONAL, a  
Nevada corporation,

7 Cross-Defendant.

8 **STIPULATION AND ORDER FOR DISMISSAL OF M S CONCRETE CO., INC.**  
9 **WITH PREJUDICE**

10 IT IS HEREBY STIPULATED AND AGREED to by Defendants/Third-Party Plaintiffs,  
11 US HOME CORPORATION, LENNAR CORPORATION and LENNAR SALES  
12 CORPORATION, and Third-Party Defendant, M S CONCRETE CO., INC., by and through their  
13 respective counsel of record, that any and all claims among and between the above-named parties,  
14 be dismissed with prejudice, each party to bear their own fees and costs incurred herein.

15 IT IS SO STIPULATED.

16 PAYNE & FEARS LLP

LEWIS BRISBOIS BISGAARD & SMITH LLP

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19 By: /s/ Sarah J. Odia  
20 GREGORY H. KING, ESQ.  
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21 SARAH J. ODIÀ, ESQ.  
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23 Attorneys for Defendants/  
24 Third-Party Plaintiffs  
US HOME CORPORATION; LENNAR  
25 CORPORATION and LENNAR SALES  
CORPORATION

By: /s/ Steven L. Foremaster  
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M S CONCRETE CO., INC.

## ORDER

UPON STIPULATION OF THE PARTIES, and good cause appearing, it is hereby:  
ORDERED, ADJUDGED and DECREED that all claims between Defendants/Third-Party  
Plaintiffs, US HOME CORPORATION, LENNAR CORPORATION and LENNAR SALES  
CORPORATION, and Third-Party Defendant, M S CONCRETE CO., INC., be, and the same are,  
HEREBY DISMISSED with prejudice, each party to bear their own fees and costs incurred  
herein.

DATED this 7 day of October, 2016.

U.S. DISTRICT COURT JUDGE

Respectfully Submitted By:

LEWIS BRISBOIS BISGAARD & SMITH LLP

/s/ Steven L. Foremaster  
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